



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 6, 2020

VIA ECF

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Jesse Rodriguez*, 18 Cr. 488

Dear Judge Swain:

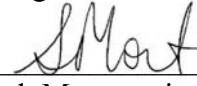
The Government writes to respectfully request that the Court adjourn the parties' upcoming status conference, currently scheduled for November 19, 2020. As discussed at the last conference and in the Government's prior requests for adjournments, defense counsel is continuing to evaluate the defendant's competency, and has not yet concluded this inquiry. *See* Def. Ltr., ECF No. 77. Most recently, on October 27, 2020, the Court granted the defendant's motion and appointed Dr. Cheryl Paradis to conduct a reevaluation of the defendant's competency. (ECF No. 86). This evaluation is currently underway, and is unlikely to be completed before the next conference. Accordingly, the parties have no additional applications to make, or updates to provide to the Court while Dr. Paradis' reevaluation is pending. The Government has conferred with defense counsel, who requests an adjournment of 60 days.

The Government further requests that time be excluded under the Speedy Trial Act through the date of the next conference. Exclusion of time under the Speedy Trial Act will provide the parties sufficient time to contemplate a competency hearing, pre-trial motions, or a potential pre-trial disposition; therefore, the "ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(7)(A). Defense counsel consents to the exclusion of time.

The foregoing adjournment and exclusion requests are granted for the reasons stated above. The conference is adjourned to January 12, 2021, at 11:00 a.m. DE# 88 resolved. SO ORDERED.
11/9/2020
/s/ Laura Taylor Swain, USDJ

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

by: 
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Assistant United States Attorney
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cc: Clay Kaminsky, Esq. (via ECF)